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Docket No.: 31894-192403
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael B. ZEMEL *et al.*

Application No.: 10/066,057

Confirmation No.: 8306

Filed: January 31, 2002

Art Unit: 1616

For: MATERIALS AND METHODS FOR THE
TREATMENT OR PREVENTION OF
OBESITY

Examiner: E. J. Webman

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after withdrawal of the Notice of Allowance (37 CFR 1.97(c)) and after the mailing date of a non-final Office Action.

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information

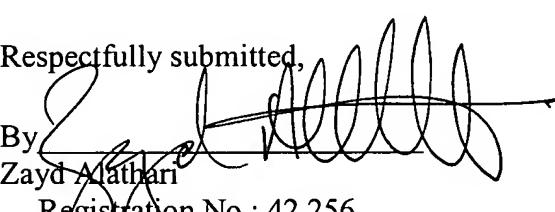
Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 22-0261 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 31894-192403.

Dated: May 27, 2005

Respectfully submitted,

By 
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PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** **180.00** **Attorney Docket No.** **31894-192403**

Complete if Known

Application Number	10/066,057
Filing Date	January 31, 2002
First Named Inventor	Michael B. Zemel
Examiner Name	E. J. Webman
Art Unit	1616

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
 Deposit Account 22-0261 Deposit Account Name: Venable LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayment of Credit any overpayments
 fee(s) under 37 CFR 1.16 and 1.17

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

	Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$)

38 - 38 = x =

Multiple Dependent Claims

Fee (\$) Fee Paid (\$)

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

- 3 = x =

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

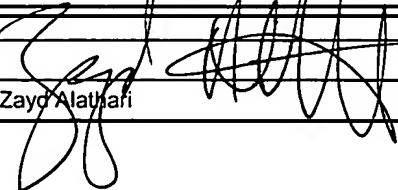
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
<u>- 100 =</u>	<u>/50</u>	<u>(round up to a whole number) x</u>	<u>=</u>	<u></u>

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	42,256	Telephone	(202) 344-4000
Name (Print/Type)	Zayed Alathari			Date	May 27, 2005

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Substitute for form 1449A/B/PTO				<i>Complete if Known</i>	
				Application Number	10/066057
				Filing Date	January 31, 2002
				First Named Inventor	Michael B. Zemel
				Art Unit	1616
				Examiner Name	E. J. Webman
Sheet	1	of	1	Attorney Docket Number	31894-192403

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
					T ⁶

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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	CA	Garrow, J.S., et al., "Inpatient-Outpatient Randomized Comparison of Cambridge Diet Versus Milk Diet in 17 Obese Women Over 24 Weeks," <i>International Journal of Obesity</i> , 13: 521-529 (1989).			
	CB	McCarron, David A., et al., "Blood Pressure and Nutrient Intake in the United States," <i>Science</i> 224:1392-1398 (1984).			
	CC	Metz, J.A., et al., "Modification of Total Body Fat in Spontaneously Hypertensive Rats and Wistar-Kyoto Rats by Dietary Calcium and Sodium," <i>American Journal of Hypertension, Inc.</i> 1:58-60 (1988).			
	CD	Skinner, J., et al., "Does Dietary Calcium Have a Role in Body Fat Mass Accumulation in Young Children?," <i>Nutrition</i> , suppl no 34, pp 45S (1999).			
	CE	Summerbell, Carolyn D., et al., "Randomised Controlled Trial of Novel, Simple, and Well Supervised Weight Reducing Diets in Outpatients," <i>BMJ</i> 317:1487-1489 (1998).			
	CF	Teegarden, D., et al., "Calcium Intake Relates to Change in Body Weight in Young Women," <i>The FASEB Journal</i> 13:A873, Abstracts Part II No. 660.4 (1999).			
	CG	Zemel, Michael B., "Nutritional and Endocrine Modulation of Intracellular Calcium: Implications in Obesity, Insulin Resistance and Hypertension," <i>Molecular and Cellular Biochemistry</i> 188:129-136 (1998).			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.
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Examiner Signature	Date Considered
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